

REAL ESTATE BOARD
MINUTES OF MEETING

March 13, 2014

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Joseph Funkhouser, II, Chair
Sandee Ferebee, Vice-Chair
Anh Tu Do
Lynn G. Grimsley
Catherine M. Noonan
Steve Hoover
Lee Odems

DPOR staff present for all or part of the meeting included:

Nick Christner, Acting Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Samantha Vrscak, Legal Analyst
Kevin Hoeft, Education Administrator
Jeff Williams, Board Administrator
Emily Trent, Administrative Assistant

Jim Flaherty and Tom Payne from the Office of the Attorney General were present.

Mr. Funkhouser called the meeting to Order at 9:00 A.M.

Call to Order

A motion was made by Mr. Hoover and seconded by Ms. Noonan to approve the agenda. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Agenda

A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to adopt the following minutes: January 23, 2014, Real Estate Board Meeting; and January 23, 2014, Fair Housing Sub-Committee Meeting. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Minutes

There was no public comment.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load.

In the matter of **Brenda Silby and David Dezsi v. Marybeth Pendleton, Weinstein Management Co., Inc. and Squire Hill II Richmond Associates, L.L.C.**, REB File Number 2014-00663, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. Cynthia Dezsi, complainant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **Tarik Mabery v. Cambridge Apartments LC and Weinstein Properties**, REB File Number 2014-00369, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **Kayla Pleskonko v. Frank McKinney, III, Famarc, Inc., dba Realty Executives Peninsula, and Rodney Balance**, REB File Number 2014-01629, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **John and Debra Penn v. Riverside Manor LP, Hercules Real Estate Services, Inc. and Catrina Scanlan**, REB File Number 2014-00610, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Public Comment

Fair Housing Administrator's Report

Brenda Silby and
David Dezsi v.
Marybeth Pendleton,
Weinstein
Management Co.,
Inc. and Squire Hill
II Richmond
Associates, L.L.C.,
REB File Number
2014-00663

Tarik Mabery v.
Cambridge
Apartments LC and
Weinstein Properties,
REB File Number
2014-00369

Kayla Pleskonko v.
Frank McKinney,
III, Famarc, Inc.,
dba Realty
Executives
Peninsula, and
Rodney Balance,
REB File Number
2014-01629

John and Debra
Penn v. Riverside
Manor LP, Hercules
Real Estate Services,
Inc. and Catrina
Scanlan, REB File
Number 2014-00610

In the matter of **Stephen Kevin Fitzgerald v. Cheryl Moore, Office Manager, W. E. Cundiff Realtors, and Diversified Interests-L, LLC, Owner, REB File Number 2014-00771**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to approve the terms of the conciliation agreement. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Stephen Kevin Fitzgerald v. Cheryl Moore, Office Manager, W. E. Cundiff Realtors, and Diversified Interests-L, LLC, Owner, REB File Number 2014-00771

In the matter of **File Number 2014-01742, Lavette Bell**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Lavette Bell, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Bells' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-01742, Lavette Bell

In the matter of **File Number 2014-01478, Grant Bates**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Grant Bates, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Bates application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-01478, Grant Bates

In the matter of **File Number 2014-01741, David Mora**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding

File Number 2014-01741, David Mora

Conference of the presiding officer. David Mora, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Mora's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2014-01261, Tracy Wilkerson**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Tracy Wilkerson, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Wilkerson's application for a real estate salesperson's license, subject to an agreement for licensure for a period of two years wherein Ms. Wilkerson and her broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-01261, Tracy Wilkerson

In the matter of **File Number 2014-02137, Roger Reeves**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Roger Reeves, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Reeves' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-02137, Roger Reeves

In the matter of **File Number 2014-02138, Charles Morse**, the Board reviewed the record which consisted of the

File Number 2014-02138, Charles

application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Charles Morse, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Morse's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Morse

In the matter of **File Number 2014-02139, Joan Tionson**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Joan Tionson, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Tionson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-02139, Joan Tionson

In the matter of **File Number 2014-02066, Jonathan Guzman**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Jonathan Guzman, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Guzman's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-02066, Jonathan Guzman

In the matter of **File Number 2014-01967, Cheray Payne**, the Board reviewed the record which consisted of the application

File Number 2014-01967, Cheray Payne

file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Payne's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2014-01753, Brian Sivak**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Brian Sivak, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Sivak's application for a real estate salesperson's license, subject to an agreement for licensure for a period of two years wherein Mr. Sivak and his managing broker will provide quarterly reports to the Board. Sivak and his supervising or managing broker of the Fredericksburg office must submit a report to the Board on a quarterly basis for a period of two years. The report shall include but not be limited to: (1) Information about Sivak's status as a licensee; Evidence that Sivak's supervising or managing broker has reviewed Sivak's listings, sales, and pending contracts; (2) Sivak agrees he will not apply for a broker's license for a period of at least four years; (3) If Sivak transfers his license to another brokerage or changes offices, he agrees to notify the Board at least 15 calendar days in advance, and agrees to notify the Board he has made his supervising or managing broker aware of his prior discipline. In addition, Sivak and his new supervising or managing broker agrees to submit a report to the Board on a quarterly basis. The motion passed by majority vote. Members voting "Yes" were Do, Funkhouser, Grimsley, Hoover and Odems. Member voting "No" was Ferebee.

File Number 2014-01753, Brian Sivak

A motion was made by Ms. Ferebee and seconded by Mr. Hoover to require part of the evidence in the quarterly report provided by Mr. Sivak and his supervising or managing broker

shall be a certification that Mr. Sivak and his supervising or managing broker have met in person monthly to discuss Mr. Sivak's listing, sales and pending contracts. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

As the presiding Board member, Ms. Noonan did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2014-00739, Morris B. Russ**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Russ' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

File Number 2014-00739, Morris B. Russ

As the presiding Board member, Ms. Noonan did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2014-01754, Pamela Davis Moore**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Hoover and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Ms. Moore's application based upon the record. After review of the testimony and documentation presented by Moore, the Board is of the opinion that Moore does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Hoover and Odems. Ms. Grimsley abstained from the vote.

File Number 2014-01754, Pamela Davis Moore

As the presiding Board member, Ms. Noonan did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2013-01751, Robin Michelle Crabel**, the Board reviewed the record which consisted of the investigative file, transcripts, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.7 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose revocation of license for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

As the presiding Board member, Ms. Do did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2012-02753, Antonio Marcelius Brooks**, the Board reviewed the record which consisted of the investigative file, transcripts, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Antonio M. Brooks, respondent, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept the violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Hoover, Noonan and Odems. A motion was made by Ms. Noonan and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,650.00 for the violation contained in Count 1. The Board also imposes the following sanctions: For the violation of Count 1, Brooks shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct. Such course(s)

File Number 2013-01751, Robin Michelle Crabel

File Number 2012-02753, Antonio Marcelius Brooks

shall be completed in a classroom. Further, Brooks shall provide evidence acceptable to the Board that he has successfully completed the course(s) within ninety (90) days of the effective date of the order. The referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement or activation of a license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Hoover, Noonan and Odems.

A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept the violation of 18 VAC 135-20-260.10 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Hoover, Noonan and Odems. A motion was made by Ms. Noonan and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,500.00 for the violation contained in Count 2, for a total monetary penalty of \$3,150.00. The Board also imposes the following sanctions: For the violation of Count 2, Brooks shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts. Such course(s) shall be completed in a classroom. Further, Brooks shall provide evidence acceptable to the Board that he has successfully completed the course(s) within ninety (90) days of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of license. In addition, for the violation of Count 2, Brooks' license shall be placed on probation for two (2) years. While on probation, Brooks and his broker will provide quarterly reports to the Board that he is in compliance with the regulations of the Board. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Hoover, Noonan and Odems.

As the presiding Board member, Ms. Grimsley did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2013-03505, Jeffrey Allan DePriest**, the Board reviewed the Consent Order as seen and agreed to by Mr. DePriest. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the proposed

File Number 2013-03505, Jeffrey Allan DePriest

Consent Order offer wherein Mr. DePriest admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, DePriest agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within three (3) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Do, Funkhouser, Grimsley, Hoover, Noonan and Odems.

As the Board member who reviewed the file, Ms. Ferebee did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2014-00747, Jacqueline Shada Atiyeh**, the Board reviewed the Consent Order as seen and agreed to by Ms. Atiyeh. A motion was made by Mr. Odems and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Atiyeh admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$450.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$600.00. In addition, for violation of Count 1, Atiyeh agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. In addition, the Board shall waive imposition of \$300.00 of the \$450.00 monetary penalty for Count 1 provided Atiyeh completes the four (4) hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the order. If Atiyeh fails to comply with these conditions, then the full monetary penalty will be automatically imposed. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards

File Number 2014-00747, Jacqueline Shada Atiyeh

any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Grimsley and Odems.

As the Board members who reviewed the file, Mr. Funkhouser and Mr. Hoover did not participate in the discussion or vote pertaining to this matter.

Due to possible conflict of interest, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-00393, Frank James Rustin**, the Board reviewed the Consent Order as seen and agreed to by Mr. Rustin. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Rustin admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Rustin agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-00393, Frank James Rustin

In the matter of **File Number 2013-02699, Diana Kathryn Ofoia**, the Board reviewed the Consent Order as seen and agreed to by Ms. Ofoia. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Ofoia admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$300.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$450.00. In addition, for violation of Count 1, Ofoia agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful

File Number 2013-02699, Diana Kathryn Ofoia

completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2013-02971, Debra Ann Chin**, the Board reviewed the Consent Order as seen and agreed to by Ms. Chin. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Chin admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Chin agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2013-02971, Debra Ann Chin

In the matter of **File Number 2013-03223, Jodie Ann Snyder**, the Board reviewed the Consent Order as seen and agreed to by Ms. Snyder. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Ms. Snyder admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Snyder agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-

File Number 2013-03223, Jodie Ann Snyder

referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Do, Ferebee, Funkhouser, Hoover, Noonan and Odems. Ms. Grimsley abstained from the vote.

Ms. Martine gave the Board a legislative and regulation update. No action was taken by the Board.

**Administrative
Issues**

Mr. Hoover gave the report from the March 12, 2014, Real Estate Education Committee meeting. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to approve the Education Committee report. The motion passed unanimously. Member voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover and Noonan. Mr. Odems abstained from voting in this matter.

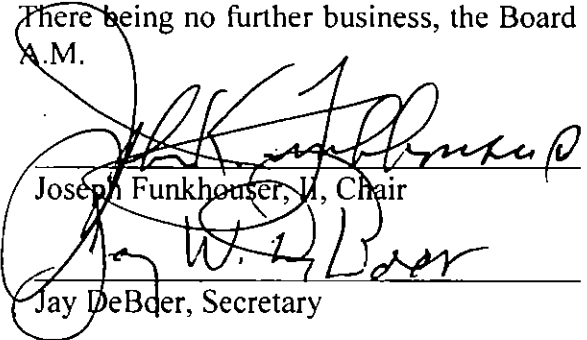
Education

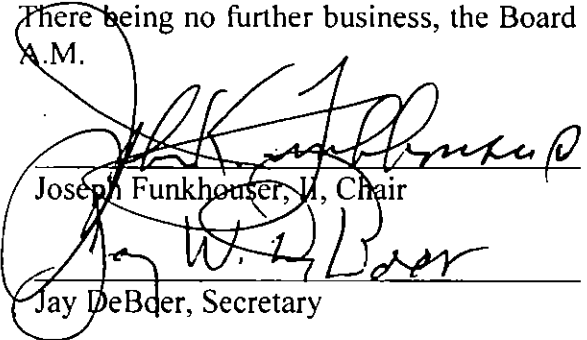
A motion was made by Ms. Ferebee and seconded by Mr. Hoover to have Mr. Hoeft draft a guidance document on what content qualifies for "Real Estate Related" continuing education credit. The motion passed unanimously. Member voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

A motion was made by Ms. Ferebee and seconded by Mr. Hoover that Board staff should instruct all schools which teach pre-license education courses to hand out a copy of the exam vendor's Candidate Information Bulletin to all students at the beginning of each course. The motion passed unanimously. Member voting "Yes" were Do, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

There being no further business, the Board adjourned at 10:35 A.M.

Adjourn


Joseph Funkhouser, II, Chair


Jay DeBor, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Lee Odems
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: March 13, 2014
(Date)

5. I have a personal interest in the following transaction:

Education - March 12, 2014 Education Committee Report
(Agenda Item)

Nature of Personal Interest Affected by Transaction: Ownership Interest
in school

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☒ I did not participate in the transaction.

6. ☐ I **do not** have a personal interest in any transactions taken at this meeting.

Lee Odems
Signature

3/13/2014
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Joe Funkhouser
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: March 13, 2014
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.


Signature

3-13-14
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Catherine M. Noonan
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: March 13, 2014
(Date)

5. I have a personal interest in the following transaction:

Jacqueline Atiyeh
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

Have worked with her when she was
employed by Long & Foster

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☒ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

Catherine M. Noonan
Signature

3/13/14
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Steve Hoover
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: March 13, 2014
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

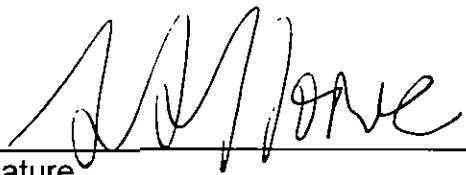
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.


Signature

3/13/14
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Lynn G. Grimsley
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: March 13, 2014
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

Lynn Grimsley
Signature

3/13/14
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Anh Tu Do
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: March 13, 2014
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I **do not** have a personal interest in any transactions taken at this meeting.

Anh Tu Do
Signature

03/13/14
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Sandra Ferebee
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: March 13, 2014
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

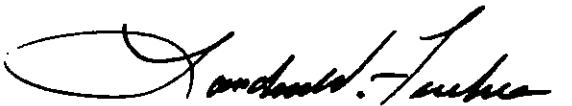
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I **do not** have a personal interest in any transactions taken at this meeting.



Signature

3-13-14

Date